

# EXHIBIT C

Christina N. Goodrich (SBN 261722)  
christina.goodrich@klgates.com  
Cassidy T. Young (SBN 342891)  
cassidy.young@klgates.com  
K&L GATES LLP  
10100 Santa Monica Boulevard  
Eighth Floor  
Los Angeles, CA 90067  
Telephone: +1 310 552 5000  
Facsimile: +1 310 552 5001

*Attorneys for Plaintiff  
Entropic Communications, LLC*

**[Additional attorneys listed on signature  
page]**

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

v.

COX COMMUNICATIONS, INC., *et*  
*al.*,

Defendants.

Case No.: 2:23-cv-01049-JWH-KES

**PLAINTIFF'S DISCLOSURE OF  
ASSERTED CLAIMS AND  
INFRINGEMENT CONTENTIONS**

1 Plaintiff Entropic Communications, LLC (“Plaintiff” or “Entropic”) hereby  
2 submits its Disclosure of Asserted Claims and Infringement Contentions against  
3 Defendants Cox Communications, Inc., CoxCom, LLC, and Cox Communications  
4 California, LLC (collectively, “Cox”).

5 Plaintiff presents these Infringement Contentions based on Plaintiff’s analysis  
6 of the facts currently known and based on Plaintiff’s review of certain publicly  
7 available information. Plaintiff reserves the right to amend or further supplement  
8 these disclosures—including to supplement its infringement contentions—with  
9 additional information learned in the course of discovery or further investigation  
10 concerning Cox’s products, services, and/or source code sufficient to show the  
11 operation of Cox’s products and/or services.

12 Subject to ongoing discovery and investigation, and based on present  
13 information and belief, Plaintiff contends that each element of each infringed claim  
14 is found within each Accused Instrumentality as shown in the preliminary  
15 infringement charts attached hereto as Exhibits A–H and incorporated herein in its  
16 entirety. Plaintiff’s identification in the claim charts is exemplary and based upon  
17 public information currently available to Plaintiff.

18 Plaintiff hereby contends that each element of each asserted claim is literally  
19 present in each of the Accused Instrumentalities as specifically shown in Exhibits  
20 A–H unless otherwise stated in those exhibits. As indicated above, discovery is  
21 necessary to further develop Plaintiff’s infringement positions—either literal or  
22 under the doctrine of equivalents—and the Court has yet to issue a claim construction  
23 order. Plaintiff expressly reserves the right to amend and supplement its position on  
24 whether there is infringement under the doctrine of equivalents of any element of  
25 any asserted claim after further discovery from Cox (and/or third parties) and/or  
26 pending this Court’s claim construction order.

1       **I. INFRINGED CLAIMS**

2           Subject to ongoing discovery and investigation, Entropic asserts that Cox  
3 infringes literally and/or under the doctrine of equivalents on:

4           1.       Claims 18 and 19 of U.S. Patent No. 8,223,775 (the “’775 Patent”)  
5 (collectively, “Asserted Claims of the ’775 Patent”) directly under 35 U.S.C. § 271(a)  
6 by making, using, offering to sell and/or selling the Accused Instrumentalities set  
7 forth in Part II below. Additionally, Cox indirectly infringes under 35 U.S.C. § 271(b)  
8 and (c) by inducing and/or contributing to the infringement of its customers, wherein  
9 the underlying infringement is the use of the Accused Instrumentalities which  
10 infringe the Asserted Claims of the ’775 Patent.

11           2.       Claims 7 and 8 of U.S. Patent No. 8,284,690 (the “’690 Patent”)  
12 (collectively, “Asserted Claims of the ’690 Patent”) directly under 35 U.S.C. § 271(a)  
13 by making, using, offering to sell and/or selling the Accused Instrumentalities set  
14 forth in Part II below. Additionally, Cox indirectly infringes under 35 U.S.C. § 271(b)  
15 and (c) by inducing and/or contributing to the infringement of its customers, wherein  
16 the underlying infringement is the use of the Accused Instrumentalities which  
17 infringe the Asserted Claims of the ’690 Patent.

18           3.       Claims 1–6, 9, and 10 of U.S. Patent No. 8,792,008 (the “’008 Patent”)  
19 (collectively, “Asserted Claims of the ’008 Patent”) directly under 35 U.S.C. § 271(a)  
20 by making, using, offering to sell and/or selling the Accused Instrumentalities set  
21 forth in Part II below. Additionally, Cox indirectly infringes under 35 U.S.C. § 271(b)  
22 and (c) by inducing and/or contributing to the infringement of its customers, wherein  
23 the underlying infringement is the use of the Accused Instrumentalities which  
24 infringe the Asserted Claims of the ’008 Patent.

25           4.       Claims 11 and 12 of U.S. Patent No. 9,210,362 (the “’362 Patent”)  
26 (collectively, “Asserted Claims of the ’362 Patent”) directly under 35 U.S.C. § 271(a)  
27 by making, using, offering to sell and/or selling the Accused Instrumentalities set  
28

1 forth in Part II below. Additionally, Cox indirectly infringes under 35 U.S.C. § 271(b)  
2 and (c) by inducing and/or contributing to the infringement of its customers, wherein  
3 the underlying infringement is the use of the Accused Instrumentalities which  
4 infringe the Asserted Claims of the '362 Patent.

5 5. Claims 1–4, 6, 8, and 9 of U.S. Patent No. 9,825,826 (the “’826 Patent”),  
6 (collectively, “Asserted Claims of the ’826 Patent”) directly under 35 U.S.C. § 271(a)  
7 by making, using, offering to sell and/or selling the Accused Instrumentalities set  
8 forth in Part II below. Additionally, Cox indirectly infringes under 35 U.S.C. § 271(b)  
9 and (c) by inducing and/or contributing to the infringement of its customers, wherein  
10 the underlying infringement is the use of the Accused Instrumentalities which  
11 infringe the Asserted Claims of the ’826 Patent.

12 6. Claims 1–5 and 9 of U.S. Patent No. 10,135,682 (the “’682 Patent”)  
13 (collectively, “Asserted Claims of the ’682 Patent”) directly under 35 U.S.C. § 271(a)  
14 by making, using, offering to sell and/or selling the Accused Instrumentalities set  
15 forth in Part II below. Additionally, Cox indirectly infringes under 35 U.S.C. § 271(b)  
16 and (c) by inducing and/or contributing to the infringement of its customers, wherein  
17 the underlying infringement is the use of the Accused Instrumentalities which  
18 infringe the Asserted Claims of the ’682 Patent.

19 7. Claims 27, 28, 33, 36, 37, 41, 42, 47, 50, and 51 of U.S. Patent No.  
20 11,381,866 (the “’866 Patent”) (collectively, “Asserted Claims of the ’866 Patent”)  
21 directly under 35 U.S.C. § 271(a) by making, using, offering to sell and/or selling the  
22 Accused Instrumentalities set forth in Part II below. Additionally, Cox indirectly  
23 infringes under 35 U.S.C. § 271(b) and (c) by inducing and/or contributing to the  
24 infringement of its customers, wherein the underlying infringement is the use of the  
25 Accused Instrumentalities which infringe the Asserted Claims of the ’866 Patent.

26 8. Claims 13, 14, 19, 21, 23, 25, 26, 31, 34, 35, 38, 39, 44, 47, and 48 of  
27 U.S. Patent No. 11,399,206 (the “’206 Patent”) (collectively, “Asserted Claims of the  
28

1 '206 Patent") directly under 35 U.S.C. § 271(a) by making, using, offering to sell  
2 and/or selling the Accused Instrumentalities set forth in Part II below. Additionally,  
3 Cox indirectly infringes under 35 U.S.C. § 271(b) and (c) by inducing and/or  
4 contributing to the infringement of its customers, wherein the underlying  
5 infringement is the use of the Accused Instrumentalities which infringe the Asserted  
6 Claims of the '206 Patent.

7 Entropic reserves the right to supplement its position as to infringement  
8 following further discovery and/or claim construction.

9 **II. ACCUSED INSTRUMENTALITIES**

10 Subject to ongoing discovery and investigation, and based on present  
11 information and belief, Plaintiff contends that the Asserted Claims of the '775 Patent,  
12 the Asserted Claims of the '690 Patent, the Asserted Claims of the '008 Patent, the  
13 Asserted Claims of the '362 Patent, the Asserted Claims of the '826 Patent, the  
14 Asserted Claims of the '682 Patent, the Asserted Claims of the '866 Patent, and the  
15 Asserted Claims of the '206 Patent are infringed by Cox's products and services  
16 identified in the charts attached hereto as Exhibits A–H, respectively, ("Accused  
17 Instrumentalities"):

18 1. **The '775 Patent:** The following Accused Instrumentalities infringe the  
19 asserted claims of the '775 Patent: Accused Services utilizing a cable modem system  
20 including, for example, at least one Accused Cable Modem Product located at each  
21 subscriber location, including, for example, the Arris SB6183 cable modem, Arris  
22 CM8200 cable modem, Technicolor CGM4141 cable modem, Technicolor  
23 CGM4331 cable modem, and products that operate in a similar manner.

24 2. **The '690 Patent:** The following Accused Instrumentalities infringe the  
25 asserted claims of the '690 Patent: Accused Services utilizing, for example, at least  
26 one Accused D3.1 Cable Modem Product located at each subscriber location,  
27 including, for example, the Arris CM8200 cable modem, Technicolor CGM4141  
28

1 cable modem, and Technicolor CGM4331 cable modem, and products that operate  
2 in a similar manner.

3 3. **The '008 Patent:** The following Accused Instrumentalities infringe the  
4 asserted claims of the '008 Patent: Accused Services utilizing Accused Set Top  
5 Products, which include at least one set top box ("STB") located at each subscriber  
6 location, including, for example, the Arris AX013ANC STB, Arris AX013ANM  
7 STB, Pace PX022ANC STB, Pace PX022ANM STB, Samsung SX022ANC STB,  
8 Samsung SX022ANM STB, and products that operate in a similar manner, and/or  
9 the Accused Cable Modem Products, including, for example, the Arris SB6183 cable  
10 modem, Arris CM8200 cable modem, Technicolor CGM4141 cable modem,  
11 Technicolor CGM4331 cable modem, and products that operate in a similar manner.

12 4. **The '362 Patent:** The following Accused Instrumentalities infringe the  
13 asserted claims of the '362 Patent: Accused Services utilizing Accused Set Top  
14 Products, which include at least one set top box ("STB") located at each subscriber  
15 location, including, for example, the Arris AX013ANC STB, Arris AX013ANM  
16 STB, Pace PX022ANC STB, Pace PX022ANM STB, Samsung SX022ANC STB,  
17 Samsung SX022ANM STB, and products that operate in a similar manner.

18 5. **The '826 Patent:** The following Accused Instrumentalities infringe the  
19 asserted claims of the '826 Patent: Accused Services utilizing Accused Set Top  
20 Products, which include at least one set top box ("STB") located at each subscriber  
21 location, including, for example, the Arris AX013ANC STB, Arris AX013ANM  
22 STB, Pace PX022ANC STB, Pace PX022ANM STB, Samsung SX022ANC STB,  
23 Samsung SX022ANM STB, and products that operate in a similar manner, and/or  
24 the Accused Cable Modem Products, including, for example, the Arris SB6183 cable  
25 modem, Arris CM8200 cable modem, Technicolor CGM4141 cable modem,  
26 Technicolor CGM4331 cable modem, and products that operate in a similar manner.

1           6.     **The '682 Patent:** The following Accused Instrumentalities infringe the  
2 asserted claims of the '682 Patent: Accused Services utilizing, for example, a Cable  
3 Modem Termination System ("CMTS") and/or Converged Cable Access Platform  
4 ("CCAP") operated by Cox in communication with at least one Accused Cable  
5 Modem Product located at each subscriber location, including, for example, the Arris  
6 SB6183 cable modem, Arris CM8200 cable modem, Technicolor CGM4141 cable  
7 modem, Technicolor CGM4331 cable modem, and products that operate in a similar  
8 manner and/or the Accused Set Top Products located at each subscriber location,  
9 including, for example, Arris AX013ANC STB, Arris AX013ANM STB, Pace  
10 PX022ANC STB, Pace PX022ANM STB, Samsung SX022ANC STB, Samsung  
11 SX022ANM STB, and products that operate in a similar manner.

12           7.     **The '866 Patent:** The following Accused Instrumentalities infringe the  
13 asserted claims of the '866 Patent: Accused Services utilizing, for example, the  
14 Accused Set Top Products, which include at least one set top box ("STB") located  
15 at each subscriber location, including, for example, the Arris AX013ANC STB,  
16 Arris AX013ANM STB, Pace PX022ANC STB, Pace PX022ANM STB, Samsung  
17 SX022ANC STB, Samsung SX022ANM STB, and products that operate in a similar  
18 manner.

19           8.     **The '206 Patent:** The following Accused Instrumentalities infringe the  
20 asserted claims of the '206 Patent: Accused Services utilizing, for example, the  
21 Accused Set Top Products, which include at least one set top box ("STB") located  
22 at each subscriber location, including, for example, the Arris AX013ANC STB,  
23 Arris AX013ANM STB, Pace PX022ANC STB, Pace PX022ANM STB, Samsung  
24 SX022ANC STB, Samsung SX022ANM STB, and products that operate in a similar  
25 manner, and/or the Accused Cable Modem Products including, for example, the  
26 Arris SB6183 cable modem, Arris CM8200 cable modem, Technicolor CGM4141  
27  
28



1 cable modem, Technicolor CGM4331 cable modem, and products that operate in a  
2 similar manner.

3 **III. PRIORITY DATES**

4 1. The '775 Patent was filed on September 30, 2003 as U.S. Patent  
5 Application Serial No. 10/675,566. The '775 Patent is entitled to a priority date of at  
6 least September 30, 2003.

7 2. The '690 Patent was filed on December 10, 2009 as U.S. Patent  
8 Application Serial No. 12/635,649. The '690 Patent is entitled to priority to at least  
9 the following applications: U.S. Provisional Applications No. 61/122,687, filed Dec.  
10 15, 2008, and U.S. Provisional Application No. 61/179,454, filed May 19, 2009.

11 3. The '008 Patent was filed on September 10, 2012 as U.S. Patent  
12 Application Serial No. 13/607,916. The '008 Patent is entitled to priority to at least  
13 the following application: U.S. Provisional Patent Application No. 61/532,098, filed  
14 September 8, 2011. The '008 Patent is entitled to a priority date of at least as early  
15 as February 15, 2011.

16 4. The '362 Patent was filed on February 5, 2015 as U.S. Patent  
17 Application Serial No. 14/614,543. The '362 Patent is entitled to priority to at least  
18 the following applications: U.S. Patent Application Serial No. 13/962,871 filed on  
19 Aug. 8, 2013; U.S. Patent Application Serial No. 12/762,900 filed on Apr. 19, 2010;  
20 and U.S. Provisional Patent Application No. 61/170,526 filed Apr. 17, 2009.

21 5. The '826 Patent was filed on November 23, 2015 as U.S. Patent  
22 Application Serial No. 14/948,947. The '826 Patent is entitled to priority to at least  
23 the following applications: U.S. Patent Application Serial No. 14/341,880 filed on  
24 Jul. 28, 2014; U.S. Patent Application Serial No. 13/607,916 filed on Sep. 10, 2012;  
25 and U.S. Provisional Patent Application No. 61/532,098 filed on Sep. 8, 2011. The  
26 '826 Patent is entitled to a priority date of at least as early as February 15, 2011.

1           6.     The '682 Patent was filed on January 9, 2018 as U.S. Patent Application  
2     Serial No. 15/866,106. The '682 Patent is entitled to priority to at least the following  
3     applications: U.S. Patent Application Serial No. 15/434,673 filed on Feb. 16, 2017;  
4     U.S. Patent Application Serial No. 15/228,703 filed on Aug. 4, 2016; U.S. Patent  
5     Application Serial No. 13/948,444 filed on Jul. 23, 2013; and U.S. Provisional Patent  
6     Application No. 61/674,742 filed on Jul. 23, 2012.

7           7.     The '866 Patent was filed on January 28, 2022 as U.S. Patent  
8     Application Serial No. 17/587,415. The '866 Patent is entitled to priority to at least  
9     the following applications: U.S. Patent Application No. 17/217,244, filed on March  
10    30, 2021; U.S. Patent Application No. 16/430,506, filed on Jun. 4, 2019; U.S. Patent  
11    Application No. 15/792,318, filed Oct. 24, 2017; U.S. Patent Application No.  
12    14/948,881, filed Nov. 23, 2015; U.S. Patent Application No. 14/617,973, filed on  
13    Feb. 10, 2015; U.S. Patent Application No. 13/962,871, filed on Aug. 8, 2013; U.S.  
14    Patent Application No. 12/762,900, filed on Apr. 19, 2010; and U.S. Provisional  
15    Patent Application No. 61/170,526, filed Apr. 17, 2009.

16          8.     The '206 Patent was filed on January 28, 2022 as U.S. Patent  
17    Application Serial No. 17/587,462. The '206 Patent is entitled to priority to at least  
18    the following applications: U.S. Patent Application No. 17/217,244, filed on March  
19    30, 2021; U.S. Patent Application No. 16/430,506, filed on Jun. 4, 2019; U.S. Patent  
20    Application No. 15/792,318, filed Oct. 24, 2017; U.S. Patent Application No.  
21    14/948,881, filed Nov. 23, 2015; U.S. Patent Application No. 14/617,973, filed on  
22    Feb. 10, 2015; U.S. Patent Application No. 13/962,871, filed on Aug. 8, 2013; U.S.  
23    Patent Application No. 12/762,900, filed on Apr. 19, 2010; and U.S. Provisional  
24    Patent Application No. 61/170,526, filed Apr. 17, 2009.

25    **IV. DATES OF INFRINGEMENT**

26           Entropic is not aware of the date of Cox's first infringement. Entropic expects  
27    to learn the dates Cox first infringed each of the Asserted Patents in discovery. The  
28

1 parties are still negotiating a protective order in this case, and as a result, Entropic  
2 has not had the opportunity to review documents that would enable it to know when  
3 Cox first infringed each of the Asserted Patents. Entropic therefore reserves the right  
4 to supplement these contentions to identify the date Cox first infringed each of the  
5 asserted patents.

6 **V. WILLFUL INFRINGEMENT**

7 Subject to ongoing discovery and investigation, Entropic's extensive  
8 contentions regarding willfulness are contained in its Complaint, which are  
9 incorporated herein by reference due to the volume of that information. As set forth  
10 therein, Cox has been engaging in willful infringement since well before this action  
11 was filed, including but not limited to through conduct constituting willful  
12 blindness. Cox's willful infringement is based on the conduct alleged in the  
13 documents described above. Moreover, Cox has been on notice of Entropic's  
14 allegations of infringement since no later than the date this action was filed and  
15 served by virtue of the allegations in the Complaint and in the exhibits attached  
16 thereto, which include claim charts. Cox has continued to willfully infringe since  
17 that time, up through the present. Discovery is ongoing and the parties have yet to  
18 enter into a protective order. Entropic expressly reserves the right to amend and  
19 supplement its position on willfulness.

20 **VI. DOCTRINE OF EQUIVALENTS**

21 Subject to ongoing discovery and investigation, and based on available  
22 information obtained to date, Entropic hereby contends that each element of each  
23 asserted claim is literally present in each of the Accused Instrumentalities as  
24 specifically shown in Exhibits A–H unless otherwise stated in those exhibits. As  
25 indicated above, discovery is necessary to further develop Entropic's infringement  
26 positions under the doctrine of equivalents and the Court has yet to issue a claim  
27 construction order. Entropic expressly reserves the right to amend and supplement  
28

1 its position on whether there is infringement under the doctrine of equivalents of any  
2 element of any asserted claim after further discovery from Cox (and/or third parties)  
3 and/or pending this Court's claim construction order.

4 **VII. DOCUMENT PRODUCTION**

5 Entropic will produce non-privileged documents within its possession,  
6 custody, and control that are relevant to these infringement contentions following  
7 the entry of a protective order. The parties are still in the process of negotiating a  
8 protective order.

9 **VIII. CONCLUSION**

10 The information contained in these disclosures is based on Plaintiff's analysis  
11 of the facts currently known to it based on Plaintiff's review of information available  
12 to it. Additional pertinent information about Defendants' Accused Instrumentalities  
13 is not available without engaging in further discovery. Thus, Plaintiff reserves the  
14 right to supplement, modify, and/or amend these disclosures as new information  
15 becomes available, and discovery progresses. Plaintiff anticipates that additional  
16 facts and relevant documents will be uncovered that will warrant supplementing  
17 and/or amending these disclosures.

18  
19 Dated: September 15, 2023

Respectfully Submitted,

20 By: /s/ Christina N. Goodrich  
21 Christina N. Goodrich (SBN 261722)  
22 Cassidy T. Young (SBN 342891)  
23 Connor Meggs (SBN 336159)  
24 **K&L GATES LLP**  
25 10100 Santa Monica Blvd., 8th Fl.  
26 Los Angeles, CA 90067  
27 Tel.: (310) 552-5547  
28 Fax: (310) 552-5001  
christina.goodrich@klgates.com  
cassidy.young@klgates.com  
connor.meggs@klgates.com

1 Peter Soskin (SBN 280347)  
2 **K&L GATES LLP**  
3 4 Embarcadero Center, Suite 1200  
4 San Francisco, CA 94111  
5 Tel.: (415) 882-8200  
6 Fax: (415) 882-8220  
7 peter.soskin@klgates.com

8 Darlene F. Ghavimi (admitted *pro hac vice*)  
9 **K&L GATES LLP**  
10 2801 Via Fortuna, Suite 650  
11 Austin, TX 78746  
12 Tel.: (512) 482-6919  
13 Fax: (512) 482-6859  
14 darlene.ghavimi@klgates.com

15 James Shimota (admitted *pro hac vice*)  
16 George Summerfield (admitted *pro hac vice*)  
17 Jason Engel (admitted *pro hac vice*)  
18 **K&L GATES LLP**  
19 70 W. Madison Street, Suite 3300  
20 Chicago, IL 60602  
21 Tel.: (312) 372-1121  
22 Fax: (312) 827-8000  
23 jim.shimota@klgates.com  
24 george.summerfield@klgates.com  
25 jason.engel@klgates.com

26 **ATTORNEYS FOR PLAINTIFF**  
27 **ENTROPIC COMMUNICATIONS, LLC**  
28

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on September 15, 2023 to counsel of record for Defendants via email.

/s/ Christina N. Goodrich  
Christina N. Goodrich